

by the U.S. Supreme Court, there was an increase in the number of homicides in Nebraska, but you cannot draw a direct relationship between the two because there are underlying factors that determine how many homicides will be committed. So I hope that you will consider this bill favorably and advance it.

SENATOR CARSTEN: Thank you, Senator Chambers. Do you have something on the desk, Mr. Clerk?

CLERK: Mr. President, Senators Hoagland and Landis would move to bracket LB 70 until April 3, 1986.

SENATOR CARSTEN: Senator Hoagland, on the bracketing motion, please.

SENATOR HOAGLAND: Senator Carsten and colleagues, I know that a number of us have had an opportunity to visit about this bracketing motion and tended to postpone the debate on LB 70 until the Rulo trial was completed. State v. Michael Ryan and State v. Dennis Ryan, cases that have been consolidated for trial in Douglas County are truly two of the most unusual cases in the history of Nebraska. We are now in the fourth week of trial in Douglas County. Two weeks were consumed in choosing a jury and we are now, roughly, in the middle of the second week of taking evidence. It is a most sensitive case. It's a case involving unusual facts which we're familiar with, I think, from the newspaper accounts and it's a case in which the jury has not been sequestered. Now, it is true that the jury customarily is instructed not to read news accounts of the trial, but the jury has not been sequestered, that is to say, the jury is not staying in a hotel under guard with the television shut off and no access to newspapers. So in spite of the instructions of the court there is certainly a danger, certainly a risk that any comments made on this floor in the debate on LB 70, whether it involves a Rulo case or any other case, whether it's in favor of death penalty or whether it's against death penalty, could ultimately reach the jurors and influence the outcome in that case. Now, this morning I visited with Judge Finn who is a district judge from the southeastern part of Nebraska, I believe he covers Senator Remmers' legislative district, part of Senator Carsten's legislative district, and Judge Finn has been imported to Douglas County to handle the case. And the case, of course, has been imported to Douglas County